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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by the Nonviolent Radical Party, Transnational and Transparty, non-governmental organization in general consultative status, Women's Human Rights International Association, Edmund Rice International Limited, non-governmental organizations in special consultative status, International Educational Development, Inc., a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-15899(E)

Please recycle

Request for the formation of a UN Commission of Inquiry into the mass execution of political prisoners in 1988 in Iran*

We the undersigned organisations believe that the extra-legal mass executions of political prisoners in the Islamic Republic of Iran in 1988 and the need to end the impunity for the perpetrators of this crime warrant and necessitate a UN Commission of Inquiry and we urge you to initiate and facilitate this.

In the period between July and October of 1988 many thousands of political prisoners were executed in Iran, mostly in the first few weeks. The mass executions were conducted following a decree by the then Iranian Supreme Leader, condemning all members of the Iranian opposition Mujahedin-e Khalq (MEK / PMOI) to death. The decree read in part, "Those who remain steadfast in their position of nifaq [support for MEK] in prisons throughout the country are considered to be muharib (waging war on God) and are condemned to execution." The primary litmus test to escape execution was to renounce their political belief and affiliation.

In a subsequent decree the Supreme Leader, Ayatollah Khomeini, said, "If the person at any stage or at any time maintains his position on nifaq [support for MEK], the sentence is execution. Annihilate the enemies of Islam immediately. With regard to the case files, use whichever criterion that speeds up the implementation of the verdict."

The responsibility for implementing the decree was entrusted on three-member commissions formed throughout the country, which included a Sharia judge, a prosecutor and a representative of the Ministry of Intelligence and Security. The prisoners called them "Death Commissions". The extrajudicial executions in violation of due process of law were soon extended to political prisoners belonging to other political groups.

The sentences were often carried out within hours. Former officials place the total number of victims in the tens of thousands. These facts were well known and reported by UN mandate holders in 1988 but have since unfortunately been off the UN agenda. The issue is resurfacing on the Iranian agenda following the release of an audio tape in which key officials at the time of the mass executions discuss and admit their actions. There are reports of growing calls for accountability in Iran despite intimidation and government crackdown. As such the extrajudicial executions of 1988 are no longer an issue of the past but a living issue with severe consequences for the people of Iran, in particular the families of victims who have dared to demand accountability.

The 1988 wave of politically motivated executions was a pivotal moment in the development of human rights in the Islamic Republic of Iran which continues to reverberate throughout Iranian society to this day. Key officials involved in the mass executions were promoted and currently hold some of the highest offices in the Iranian judiciary and security forces. A generation of democratic exponents and human rights defenders was decimated. The wave of extra-legal executions also established practices which remain in place today, as demonstrated by the fact that Iran continues to have the highest rate of executions in the world. It often imposes the death penalty for crimes not considered most serious crimes, for political prisoners, for juvenile offenders and with flagrant violations of due process of law. We the undersigned organisations also possess evidence that individuals presently demanding information about their family members who were executed in 1988 face imprisonment and harassment by Iranian security forces.

The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran has stated, as has Your Office, that the Iranian government only very selectively engages with UN mandate holders. Specifically it refuses to acknowledge to the UNHRC that politically motivated executions take place or have taken place.

We believe that the enormity of the human rights violations, their continuing effect on Iranian society and victims as well as the non-cooperation of the Iranian government warrants and necessitates a UN Commission of Inquiry. We therefore urge You to use the authority of Your Office to end impunity, restore accountability and ensure non-recurrence of extra-legal mass executions in the Islamic Republic of Iran by initiating and facilitating such an Inquiry.

*Hands Off Cain - comite de soutien au droits de l'homme en iran - CSDHI - Association des Femmes Iraniennes en France - AFIF - Associazione Medici e Farmacisti Iraniani in Italia- IRAN REF VZW - vzw democratische iraanse vrouwen organisationen in belgien, NGOs without consultative status, also share the views expressed in this statement.